

**REMARKS**

Claims 1-11 are pending in this application. Claim 2 is allowed. By this Amendment, claims 1, 3, 4, and 6-10 are amended. Claim 12 is canceled without prejudice to or disclaimer of the subject matter found therein. No new matter is added.

In paragraph 1, on page 2 of the Office Action, the drawings are objected to under 37 C.F.R. §1.83(a). The Specification is amended to show that the expansible bogie-fastening element recited in claim 6 corresponds to reference number 17 found in Fig. 12A. Thus, it is respectfully requested the objection be withdrawn.

In paragraph 2, on page 3 of the Office Action, the Abstract is objected to. The Abstract is amended to exclude the phraseology objected to. Therefore, it is respectfully requested the objection be withdrawn.

In paragraph 3, on page 3 of the Office Action, the Specification is objected to as failing to provide proper antecedent basis for claimed subject matter. The objection is rendered moot by the amendment to the Specification, as discussed above.

In paragraph 5, on page 3 of the Office Action, claim 6 is rejected under 35 U.S.C. §112, first paragraph, as non-enabling. The rejection is rendered moot by the amendment to the Specification, as discussed above. The paragraphs on page 22 of the application as amended now more clearly enable one skilled in the art to make and/or use the invention of Applicants' claim 6, although it is submitted that one skilled in the art would have been able to make and use the invention in light of the application as filed.

In paragraph 6, on page 4 of the Office Action, claims 7-9 are rejected under 35 U.S.C. §112, first paragraph, as non-enabling. The rejection is rendered moot by the amendments to claims 7-9. Therefore, it is respectfully requested the rejection be withdrawn.

In paragraph 7, on page 4 of the Office Action, claims 3-5 are rejected under 35 U.S.C. §112, first paragraph, as non-enabling. The rejection is rendered moot by the

amendments to claims 3-5. Specifically, the Specification discloses the use of a single bathtub roller 13 (see page 22, lines 19 and 21) as well as multiple bathtub rollers 13 (see page 7, line 24). As such, claims 3 and 4 are amended to recite "at least one wheel", consistent with the application. Therefore, it is respectfully requested that the rejection be withdrawn.

In paragraph 9, on page 5 of the Office Action, claims 6 and 7 are rejected under 35 U.S.C. §102(b) as being anticipated by Mukai, U.S. Patent No. 5,393,119. The rejection is respectfully traversed.

Applicants' invention of claim 6 calls for a bathing aid, comprising a wheelchair separable into a seat unit for a bather to sit down on and a bogie unit located under the seat unit; a bathtub having an open top for receiving the seat unit with the bather sitting thereon; a bathtub supporter for supporting the bathtub while allowing the bathtub to change its orientation so that a direction of the open top changes between an upward direction and a frontward direction; and an expansible bogie-fastening element to which a predetermined part of the bogie unit is fastened for temporarily fixing the bogie unit, which element changes its position with a motion of the bathtub so that it retreats backward when the bathtub is moved toward an upright position while it expands forward when the bathtub is pushed forward, whereby the bathtub has at least one wheel located under the bottom thereof that runs when the bathtub changes its orientation, and the bogie-fastening element expands forward when the at least one wheel comes onto the bogie-fastening element and exerts a pressure thereon from above, whereas the bogie-fastening element stands up and retreats backward when it is released from the pressure exerted by the at least one wheel. Mukai fails to disclose or suggest all of these features.

Contrary to the Office Action assertion, Mukai fails to disclose or suggest the bathtub supporter and the expansible bogie-fastening element as claimed in claim 6. If anything,

Mukai only teaches an extension guide 16 that pulls the seat 4 until it is completely moved onto a wheeled frame 12. However, the extension guide 16 is neither expansible nor fastening as is the expansible bogie-fastening element of Applicants' claim 6 (col. 4, lines 17-27). On the other hand, the bogie unit of Applicants' claim 6 can be fastened to the expansible bogie-fastening element by engaging the bogie-side hooks 215. Such fastening elements are not found in Mukai.

Applicants' invention of claim 7 calls for a bathing aid, including a wheelchair separable into a seat unit for a bather to sit down on and a bogie unit located under the seat unit, and a bathtub having an open top for receiving the seat unit with the bather sitting thereon, whereby the seat unit of the wheel chair with the bather sitting thereon is transferred into the bathtub, and then hot water is supplied into the bathtub, wherein the seat unit has a set of first wheels running on a bogie-side guide rail located in the bogie unit and a set of second wheels running on a bathtub-side guide rail located in the bathtub, where the set of first wheels is free from contact with the bathtub-side guide rail and the set of second wheels is free from contact with the bogie-side guide rail. Mukai fails to disclose or suggest all of these features.

Contrary to the Office Action assertion, Mukai does not disclose or suggest the seat unit has a set of first wheels running on a bogie-side guide rail located in the bogie unit and a set of second wheels running on a bathtub-side guide rail located in the bathtub, where the set of first wheels is free from contact with the bathtub-side guide rail and the set of second wheels is free from contact with the bogie-side guide rail. Mukai only teaches sets of wheels that run on the same rail, or guide grooves 3, on inner sides of the bathtub (col. 2, lines 58-62; Figs. 1 and 4). On the other hand, the sets of wheels of Applicants' claim 7 run on different rails. Specifically, the set of first wheels run on a bogie-side guide rail located in the bogie unit while a set of second wheels runs on a bathtub-side guide rail located in the bathtub.

Thus, one set of wheels is on a bogie-side guide rail located in the bogie unit and a second set of wheels is on a bathtub-side guide rail located in the bath tub. Further, according to Applicants' claim 7, the set of first wheels is free from contact with the bathtub-side guide rail and the set of second wheels is free from contact with the bogie-side guide rail. Thus, the sets of wheels in Applicants' claim 7 run on different rails, as opposed to the teachings of Mukai. Therefore, Mukai fails to disclose or suggest all of the features of Applicants' claim 6 and Applicants' claim 7. Therefore, it is respectfully requested that the rejection be withdrawn.

In paragraph 10, on page 6 of the Office Action, claims 10 and 11 are rejected under 35 U.S.C. §102(b) as being anticipated by Suzuki et al. (Suzuki), U.S. Patent No. 5,722,099. The rejection is respectfully traversed.

Applicants' invention of claim 10 calls for a bathing aid, comprising a wheelchair separable into a seat unit for a bather to sit down on and a bogie unit located under the seat unit; a bathtub having an open top for receiving the seat unit with the bather sitting thereon; a tank, located above the bathtub, for storing hot water to be supplied into the bathtub, a water supply pipe connecting a tank and the bathtub, where the water supply pipe is provided with a water supply valve having a first valve body placed in the tank; a drainage pipe, an end of which is connected to the tank for draining hot water from the tank, where the draining pipe is provided with a draining valve having a second valve body placed in the tank; and a motor for pulling open either one or both of the valve bodies when water is supplied or drained, whereby either one or both of the first valve body and the second valve body open or close either or both of an inlet of the water supply pipe and an inlet of the drainage pipe as the one or both of the first valve body and the second valve body are submerged underwater in the tank. Suzuki fails to disclose or suggest all of these features.

Contrary to the Office Action assertion, Suzuki fails to disclose or suggest any valves placed in the tank 60, or that are submerged underwater in the tank 60, as in Applicants' claim

10. Further, Suzuki fails to disclose a motor for pulling open either one or both of the valve bodies when the water is supplied or drained, also as in Applicants' claim 10. On the contrary, the valves in Suzuki are placed outside the tank and are not submerged underwater. Further, Suzuki does not suggest a motor of any kind for pulling open either one or both of the valve bodies when the water is supplied or drained, as in Applicants' claim 10. Thus, Suzuki fails to disclose or suggest all of the features of Applicants' claim 10.

Applicants' invention of claim 11 calls for a bathing aid, comprising a wheelchair separable into a seat unit for a bather to sit down on and a bogie unit located under the seat unit; a bathtub having an open top for receiving the seat unit with the bather sitting thereon; a water supplier for supplying hot water into the bathtub; an input device for allowing a caregiver to choose a use of a liquid agent including a bath agent and/or a cleaning agent during bathing; and a liquid injection mechanism having a container for storing the liquid agent beforehand and a liquid injector for injecting the liquid agent taken from the container into the hot water when the water supplier supplies the hot water into the bathtub and the use of the liquid agent is ordered through the input device. Suzuki fails to disclose or suggest all of these features.

Contrary to the Office Action assertion, Suzuki fails to disclose or suggest an input device for allowing a caregiver to choose a use of a liquid agent including a bath agent and/or a cleaning agent during bathing. Suzuki only teaches a device for supplying hot water into the tank 60 (see col. 7, lines 21-28). Applicants' claim 11 also recites the water supplier for supplying hot water into the bathtub feature. However, the input device for allowing a caregiver to choose a use of a liquid agent including a bath agent or a cleaning agent during bathing is an additional feature in claim 11 that is not disclosed or suggested by Suzuki. Thus, while both claim 11 and Suzuki disclose a supplier for supplying hot water into a tank, claim 11 recites an additional feature of an input device for allowing a caregiver to choose a

use of a liquid agent including a bath agent and/or a cleaning agent during bathing. Thus, Suzuki fails to disclose or suggest all of the features of Applicants' claim 11. Therefore, it is respectfully requested that the rejection be withdrawn.

In paragraph 12, on page 7 of the Office Action, claim 1 is rejected under 35 U.S.C. §103(a) over Mukai in view of Karhumaki, U.S. Patent No. 6,076,203. The rejection is respectfully traversed.

Applicants' invention of claim 1 calls for a bathing aid comprising a wheelchair separable into a seat unit for a bather to sit down on and a bogie unit located under the seat unit; a bathtub having an open top for receiving the seat unit with the bather sitting thereon; and an upward-opening cover for closing the open top of the bathtub, except for an opening for allowing the bather to stick the head through, the cover and the bathtub capable of holding hot water, whereby the seat unit of the wheelchair with the bather sitting thereon is transferred through the open top into the bathtub with the cover opened, and then hot water is supplied into an area formed by the bathtub and the cover so that a majority of the body of the bather is submerged under the hot water. Karhumaki does not disclose or suggest all of these features.

Contrary to the Office Action assertion, Karhumaki does not disclose or suggest an upward-opening cover, the cover and the bathtub capable of holding hot water, and then hot water is supplied into an area formed by the bathtub and the cover so that a majority of the body of the bather is submerged under the hot water. Karhumaki only shows a cover that can cover the bather for steam treatment (col. 3, lines 20-22), but is not sealed to hold hot water during use. Karhumaki does disclose a tub unit 10 that when in the sitting position, it is possible that the cover 11 will seal tightly to allow a second tub 15 to be filled with liquid (col. 3, lines 47-49). However, that cover will only allow a second tub 15 (or half the tub unit) to be filled with water, not the entire tub, thus allowing only a small portion of the body of the bather to be submerged under hot water. Thus, Karhumaki does not disclose or suggest

all of the features of Applicants' claim 1. As such, it would not have been obvious to one of ordinary skill in the art to combine the teachings of Karhumaki with Mukai in order to achieve Applicants' invention of claim 1. Therefore, it is respectfully requested that the rejection be withdrawn.

In paragraph 13, on page 8 of the Office Action, claim 12 is rejected under 35 U.S.C. §103(a) over Suzuki. The rejection is rendered moot by the cancellation of claim 12.

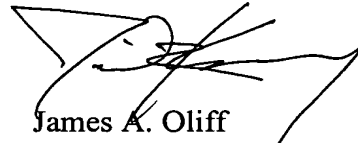
Applicants appreciate the fact that in paragraphs 16 and 18 on page 9 of the Office Action, claims 3-5, 8 and 9 contain allowable subject matter, and would be allowable if rewritten to overcome the rejections discussed above. It is respectfully submitted that the amendments discussed above overcome the respective rejections under 35 U.S.C. §112, first and second paragraphs.

We also Bring to the attention of the Patent Office that the published version of this application contains an error in paragraph [0121], line 2. The word "books" should be "hooks". It is requested that the Patent Office make an appropriate correction, as the word is spelled correctly on page 21 of the application as filed.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, and 3-11, in addition to allowed claim 2, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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Attachment:  
Amended Abstract

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